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Notice of Allowability

Application No.

09/815,859

Examiner

Viet Q. Le

Applicant(s)

MONROE ET AL.

Art Unit

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04/04/2005.
2. ☒ The allowed claim(s) is/are 1,3-12,14-20 and 22-31.
3. ☒ The drawings filed on 04 April 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Allowable Subject Matter

1. Claims 1, 3-12, 14-20, 22-31 are allowed.
2. The following is an examiner's statement of reasons for allowance:

The prior art does not disclose or fairly suggest wherein a system or a method having all features of:

In response to the determination that the mobile station failed to acknowledge receipt of the mobile terminated message, generating a mobile-originated message containing at least a portion of the information for communication to a public network, the public network operable to communicate the mobile-originated message to the mobile station as indicated in independent claims 1, 12 and 20.

The prior art does not disclose or fairly suggest wherein a system or a method having all features of:

The wireless platform also operable to communicate the mobile-terminated message to the base station and to determine if the mobile station acknowledges successful receipt of the mobile-terminated message; and the wireless platform further operable to generate a mobile-originated message containing at least one of the first notification message and the second notification message for communication to: public network if the mobile station fails to acknowledge successful receipt of the mobile

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terminated message, the public network operable to communicate the mobile-originated message to the mobile station as indicated in independent claim 28.

The prior art does not disclose or fairly suggest wherein a system or a method having all features of:

Determining whether the first notification message may be forwarded to a public network;

Generating a first mobile-originated message containing at least a portion of the first notification message for communication to the public network if the mobile station fails to acknowledge successful receipt of the first mobile-terminated message and the first notification message may be forwarded to the public network.

Determining whether the second notification message may be forwarded to the public network; and

Generating a second mobile-originated message containing the second notification message for communication to the public network if the mobile station fails to acknowledge successful receipt of the second mobile-terminate message and the second avocation message may be forwarded to the public network as indicated in independent claims 29, 30 and 31.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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It is noted that the closest prior art, Parkvall et al. (U.S. 2002/0080719) shows and describes the method of communicating communication messages to the mobile station. However, Parkvall fails to disclose all the underlined limitation as described above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Q. Le whose telephone number is 571-272-2246. The examiner can normally be reached on 8 AM -5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VL


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

6/27/05